

**ORDINANCE NO. 2023-35**

**AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ELECTRIC FEES IN SECTIONS 110-138 THROUGH SECTION 110-141 OF THE CITY OF BURNET CODE OF ORDINANCES; PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR OTHER RELATED MATTERS.**

**Whereas**, the City provides, or causes to be provided electrical services to all residences and businesses within the City; and

**Whereas**, City Council periodically reviews the City's costs for providing electrical services and rates charged to the customer; and

**Whereas**, City Council finds that due to economic inflationary pressures, and other factors, customer rates need to be adjusted.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT;**

**Section. 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Amendment of Article IV. Section 110-138 Residential Service:** Section 110-138, Burnet Code of Ordinances, is hereby amended in its entirety to read as follows:

**Sec. 110-138. Residential service.**

(a) *Rate schedule R—Monthly rate:*

Customer charge:	\$12.00
Purchased power cost adjustment:	(See Article IV. Section 110-144)
City distribution charge:	\$0.0437 per kWh

The rates established under this section may be amended by ordinance from time to time.

(b) *Availability:* The residential service rate may be available, as approved by the City of Burnet under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section.

(c) *Applicability:* The residential service rate is applicable for electric service for noncommercial, residential customers and subject to the special conditions as outlined in subsection (e) of this section.

(d) *Monthly bill:*

(1) The minimum monthly bill shall be the customer charge plus the sum of all applicable rate adjustments.

(2) The monthly bill shall be the sum of the customer charge, the purchased power cost adjustment, the city distribution charge and applicable adjustments.

- (3) Any bill rendered for service hereunder shall be based on metered consumption or on the basis of valid assumptions.
- (e) *Special conditions:* A residential unit, which is used primarily for business purposes, will be served under the appropriate business service rate schedule and not under this rate schedule. For the purpose of this section, a residential unit must be in compliance with all applicable zoning codes to qualify for the residential service rate.

**Section 3. Amendment of Article IV. Section 110-139 Small Commercial Service:** Section 110-139, Burnet Code of Ordinances, is hereby amended in its entirety to read as follows:

**Sec. 110-139. Small commercial service.**

(a) *Rate schedule SCS—Monthly rate:*

Customer charge:	\$12.00
Purchased power cost adjustment:	(See Article IV. Section 110-144)
City distribution charge:	\$0.0537 per kWh

The rates established under this section may be amended by ordinance from time to time.

- (b) *Availability:* The small commercial service rate may be available, as approved by the City of Burnet under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section.
- (c) *Applicability:*
  - (1) The small commercial service rate is applicable for electric service for business and/or commercial customers whose demand is not equal to or greater than 50 kilowatts during any 15-minute demand interval during two billing periods within a calendar year.
  - (2) An audit of the billed demand for the previous year will be performed in January of each year to determine the appropriate rate class for the following calendar year.
  - (3) The city reserves the right to audit all new customers during the first 12 months of service to verify proper placement within the City of Burnet rate classes.
  - (4) A City of Burnet electric customer can request a consumption audit of their service one time per calendar year.
- (d) *Monthly bill:*
  - (1) The minimum monthly bill shall be the customer charge plus the sum of all applicable rate adjustments.
  - (2) The monthly bill shall be the sum of the customer charge, the purchased power cost adjustment, the city distribution charge and applicable adjustments.
  - (3) Any bill rendered for service hereunder shall be based on metered consumption or on the basis of valid assumptions.

**Section 4. Amendment of Article IV. Section 110-140 Large Commercial Service:**  
 Section 110-140, Burnet Code of Ordinances, is hereby amended in its entirety to read as follows:

**Sec. 110-140. Large commercial service.**

(a) *Rate schedule LCS—Monthly rate:*

Customer charge:	\$16.62
Purchased power cost adjustment:	(See Article IV. Section 110-144)
Demand charge:	\$2.00 per kW But not less than \$100.00 per month
City distribution charge:	\$0.0430 per kWh

The rates established under this section may be amended by ordinance from time to time.

(b) *Availability:* The large commercial service rate may be available, as approved by the City of Burnet under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section.

(c) *Applicability:*

- (1) The large commercial service rate is applicable for electric service for business and/or commercial customers whose demand is greater than or equal to 50 kilowatts, but less than 1,000 kilowatts, during any 15-minute demand interval during two billing periods within a calendar year.
- (2) An audit of the billed demand for the previous year will be performed in January of each year to determine the appropriate rate class for the following calendar year.
- (3) The city reserves the right to audit all new customers during the first 12 months of service to verify proper placement within the City of Burnet rate classes.
- (4) A City of Burnet electric customer can request a consumption audit of their service one time per calendar year.

(d) *Monthly bill:*

- (1) The minimum monthly bill shall be the customer charge plus the minimum demand charge as stated in (e) of this section and the sum of all applicable rate adjustments.
- (2) The monthly bill shall be the sum of the customer charge, the purchased power cost adjustment, the demand charge, the city distribution charge and applicable adjustments.
- (3) Any bill rendered for service hereunder shall be based on metered consumption or on the basis of valid assumptions.

(e) *Special conditions:* The kW billing demand shall be the highest measured kW demand established in any average 15-minute period during the current month, but not less than 50 kW.

**Section 5. Amendment of Article IV. Section 110-140.1 Industrial Service:** Section 110-140.1, Burnet Code of Ordinances, is hereby amended in its entirety to read as follows:

**Sec. 110-140.1. Industrial service.**

(a) *Rate schedule IS—Monthly rate summary:*

Customer charge:	\$16.62
Purchased power cost adjustment:	(See Article IV. Section 110-144)
Demand charge:	\$7.47 per kW But not less than \$7,470.00 per month
City distribution charge:	\$0.0259 per kWh

The rates established under this section may be amended by ordinance from time to time.

(b) *Availability:* The industrial service rate may be available, as approved by the City of Burnet under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section.

(c) *Applicability:*

- (1) The industrial service rate is applicable for electric service for industrial customers whose demand is equal to or greater than 1,000 kilowatts during any 15-minute demand interval during two billing periods within a calendar year.
- (2) An audit of the billed demand of the previous year will be performed in January of each year to determine the appropriate rate class for the following calendar year.
- (3) The city reserves the right to audit all new customers during the first 12 months of service to verify proper placement within the City of Burnet rate classes.
- (4) A City of Burnet electric customer can request a consumption audit of their service one time per calendar year.

(d) *Monthly bill:*

- (1) The minimum monthly bill shall be the customer charge plus the minimum demand charge as stated in (e) of this section and the sum of all applicable rate adjustments.
- (2) The monthly bill shall be the sum of the customer charge, the purchased power cost adjustment, the demand charge, the city distribution charge and applicable adjustments.
- (3) Any bill rendered for service hereunder shall be based on metered consumption or on the basis of valid assumption.

(e) *Special conditions:* The kW billing demand shall be the highest measured kW demand established in any average 15-minute period during the current month, but not less than 1,000 kW.

**Section 6. Amendment of Article IV. Section 110-141 Economic Development Service:** Section 110-141, Burnet Code of Ordinances, is hereby deleted in its entirety.

**Section 4. Severability.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**Section 5. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*


**Section 6. Effective Date.** This ordinance shall take effect on October 1<sup>st</sup>, 2023, provided that the ordinance or a caption thereof is published in accordance with the City Charter.


**PASSED AND APPROVED** on first reading this the 22<sup>nd</sup> day of August, 2023.

**FINALLY PASSED AND APPROVED** on this the 12<sup>th</sup> day of September, 2023.

**ATTEST:**

**CITY OF BURNET, TEXAS**

  
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Kelly Dix, City Secretary

  
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Gary Wideman, Mayor

